

**Policy
215****Austin Police Department**
Policy Manual

Foot Pursuits

215.1 PURPOSE AND SCOPE

Foot pursuits are inherently dangerous and require common sense, sound tactics, and heightened officer safety awareness. This policy sets forth guidelines to assist officers in making the decision to initiate or continue the pursuit of subjects on foot.

215.1.1 POLICY

It is the policy of this department when deciding to initiate or continue a foot pursuit that officers must continuously balance the objective of apprehending the subject with the risk and potential for injury to department personnel, the public, or the subject.

Officers are expected to act reasonably based on the totality of the circumstances. Absent exigent circumstances, the safety of department personnel and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a subject is rarely more important than the safety of the public and Department personnel.

215.2 DECISION TO PURSUE

Officers may be justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in, or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a subject who is not suspected of criminal activity shall not serve as the sole justification for engaging in a foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits potentially place department personnel and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing subjects. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to pursuit based upon the circumstances and resources available, such as the following:

- (a) Containment of the area.
- (b) Canine search.
- (c) Saturation of the area with patrol personnel.
- (d) Air support.

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- (e) Apprehension at another time when the identity of the subject is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the subject does not reasonably appear to outweigh the risk of continuing the pursuit.

215.3 FOOT PURSUIT CONSIDERATIONS

An order by a supervisor to terminate a foot pursuit shall be promptly obeyed. Officers should consider alternatives to engaging in or continuing a foot pursuit under the following conditions:

- (a) When the officer is acting alone.
- (b) When two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the subject in sight from a safe distance and coordinate the containment effort.
- (c) The officer is unsure of his location and direction of travel.
- (d) When pursuing multiple subjects and the pursuing officers do not reasonably believe that they would be able to control the subjects should a confrontation occur.
- (e) When the physical condition of the officers renders them incapable of controlling the subject if apprehended.
- (f) When the officer loses radio contact with Communications or with backup officers.
- (g) When the subject enters a building, structure, confined space, or a wooded or otherwise isolated area and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the pursuit and coordinating containment pending the arrival of sufficient officers.
- (h) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (i) The officer reasonably believes that the danger to the pursuing officers or to the public outweighs the objective of immediate apprehension.
- (j) The officer loses possession of his firearm or other essential equipment.
- (k) The officer or a third party is injured during the pursuit, requiring immediate assistance and there are no other emergency personnel available to render aid.
- (l) The subject's location is no longer definitely known.
- (m) The identity of the subject is established or other information exists that will allow for the subject's apprehension at a later time, and it reasonably appears that there is no immediate threat to department personnel or the public if the subject is not immediately apprehended.
- (n) The officer's ability to safely continue the pursuit is impaired by inclement weather, darkness, or other conditions.

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215.4 RESPONSIBILITIES IN FOOT PURSUITS

215.4.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit.

- (a) Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should broadcast the following information as soon as it becomes practicable and available:
 - 1. Unit identifier.
 - 2. Location and direction of travel.
 - 3. Reason for the foot pursuit.
 - 4. Number of subjects and description.
 - 5. Whether the subject is known or believed to be armed.
- (b) Officers are reminded that radio transmissions made while running may be difficult to understand and may need to be repeated.
- (c) Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.
- (d) When a foot pursuit terminates, the officer shall notify Communications of his location and the status of the pursuit termination (e.g., subject in custody, lost sight of subject), and shall direct further actions as reasonably appear necessary.

215.4.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

Officers in a position to intercept a fleeing subject, or who can assist the primary officer with the containment or apprehension of the subject, shall act reasonably and in accordance with Department policy based upon available information and their own observations.

215.4.3 CONTROL SUPERVISOR RESPONSIBILITY

It is the policy of this department that supervisor control shall be exercised over all foot pursuits involving officers from this department.

- (a) The immediate supervisor of the officer initiating the foot pursuit, or if unavailable, the nearest available field supervisor shall assume the responsibility as the control supervisor.

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- (b) Corporals serving as acting sergeants shall assume the responsibility as the control supervisor during a foot pursuit initiated in their area if no other sergeant is on-duty or immediately available in that area; however, corporals may not be the control supervisor when a sergeant initiates a foot pursuit.
- (c) The control supervisor is responsible for the following:
 - 1. Upon becoming aware of a foot pursuit, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the foot pursuit in order to ensure that the foot pursuit is conducted within established department guidelines.
 - 2. Proceed to the area of the foot pursuit and provide on scene supervision.
 - 3. Exercise management and control of the foot pursuit even if not on scene.
 - 4. Ensure that a perimeter is established by responding officers to ensure containment of the suspect.
 - 5. Direct that the foot pursuit be terminated if, in his judgment, it is unjustified to continue the foot pursuit under the guidelines of this policy.
 - 6. Ensure that aircraft and K-9 assistance is requested.
 - 7. Prepare a post foot pursuit critique and analysis of the foot pursuit for training purposes.

215.4.4 WATCH LIEUTENANT RESPONSIBILITIES

Upon becoming aware that a foot pursuit has been initiated, the Watch Lieutenant should monitor and continually assess the situation.

215.4.5 COMMUNICATIONS RESPONSIBILITIES

Upon notification that a foot pursuit has been initiated, Communications shall:

- (a) Assign an incident number and log all foot pursuit activities.
- (b) Coordinate communications of the involved units and personnel.
- (c) Notify and coordinate with other involved or affected agencies, as needed.
- (d) Broadcast updates and other pertinent information, as necessary.
- (e) Ensure that the Communications supervisor and appropriate lieutenant are notified of the foot pursuit.
 - 1. If the lieutenant over the area where the foot pursuit initiated is unavailable or does not respond in a timely manner, the nearest available lieutenant shall be contacted.
- (f) Notify the Watch Lieutenant as soon as practicable.
- (g) Dispatchers shall keep other areas of the city advised if the foot pursuit is likely to enter or cross into multiple areas.
- (h) Upon verbal confirmation that a foot pursuit has been terminated, Communications shall again broadcast the foot pursuit has been terminated.

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215.5 REPORTING AND REVIEW REQUIREMENTS

215.5.1 INVOLVED OFFICER RESPONSABILITY

The initiating officer will write a detailed incident report or supplement and submit their MAV media as evidence. This includes the primary officer initiating the pursuit, any secondary officer(s) assisting in the apprehension or detention of any subjects, and any additional officer(s) who assisted with the foot pursuit (e.g., K-9, Air Support).

215.5.2 CONTROL SUPERVISOR RESPONSIBILITIES

The control supervisor shall complete an officer involved foot pursuit packet and forward the link to an on-duty lieutenant over the area where the pursuit was initiated. The foot pursuit packet will be completed electronically and stored in the Digital Foot Pursuit folder on the G: Drive. Additionally, the supervisor will complete the foot pursuit log on SharePoint. The packet should contain:

- (a) Supervisor's supplement report to include the following information:
 - 1. Date/Time of foot pursuit.
 - 2. Length of foot pursuit.
 - 3. Involved units and officers.
 - 4. Initial reason for foot pursuit.
 - 5. Starting and termination points.
 - 6. Disposition: arrest, citation or other release. Arrestee information should be provided if applicable.
 - 7. Injuries and/or property damage.
 - 8. Medical treatment.
 - 9. Acknowledgement of the foot pursuit via Communications.
 - 10. Assumption of control supervisor duties.
 - 11. Any on-scene response.
 - 12. Internal foot pursuit review initiation.
- (b) Provide a debriefing to the primary officer's shift(s) within 10 days. The supervisor may forward the debriefing to the other involved officer's supervisors.
- (c) Incident and supplement reports from all involved officers.
- (d) CAD call history.
- (e) Copies of all audio and/or video media of the foot pursuit. If a recording includes audio/video media from a Digital Mobile Audio Video (DMAV) in car-system, supervisors shall state in the supplement report that the video is located on the DMAV system. Supervisors are not required to provide a physical copy of the audio/video media from a DMAV in car-system.

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215.5.3 LIEUTENANT RESPONSIBILITIES

After receiving copies of reports, logs, and other pertinent information the lieutenant or designee shall:

- (a) Review the information contained in the packet and on the MAV media.
 - 1. Prepare a critique memorandum which provides a preliminary determination whether the foot pursuit appears to be in compliance with this policy or if additional review and/or follow-up is warranted.
- (b) Forward the officer link to the digital foot pursuit packet to the commander(s) of all involved officers.
- (c) Review the Foot Pursuit Log on SharePoint for completeness and accuracy and check the approved box.
- (d) Ensure that any items of evidentiary value are submitted in accordance with policy.

215.5.4 COMMANDER RESPONSABILITIES

- (a) If the initiating officer's commander determines that the foot pursuit falls within policy guidelines, he shall enter a case note in the Versadex Report indicating his findings.
- (b) If the initiating officer's commander determines that the foot pursuit violates policy guidelines, he shall ensure that appropriate corrective actions are taken.
- (c) If the pursuit resulted in death or serious bodily injury the foot pursuit packet or electronic file shall be forwarded to the chairperson of the Force Review Board.